

JUDGE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR22-059RSM
)	
Plaintiff,)	
)	ORDER GRANTING
v.)	UNOPPOSED MOTION TO
)	CONTINUE TRIAL DATE AND
ERIK A. READ,)	EXTEND PRETRIAL MOTIONS
)	DEADLINE
Defendant.)	

Erik A. Read, through his attorney, Assistant Federal Public Defender Nancy Tenney, requests the Court continue the current trial date of January 17, 2023, to April 3, 2023, and the pretrial motions deadline to January 30, 2023. Assistant United States Attorney Brian Wynne does not oppose this motion for a continuance. In support of the motion, counsel states the following:

THE COURT has considered Erik Read's unopposed motion to continue the trial date and extend the pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for Mr. Read the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as counsel for Mr. Read has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

(d) the ends of justice will best be served by a continuance, and the ends of justice outweigh the best interests of the public and Mr. Read in any speedier trial, as set forth in 18 U.S.C. § 3161(h)(7)(A); and

(e) the additional time requested between the current trial date of January 17, 2023, and the new trial date is necessary to provide counsel for Mr. Read the reasonable time necessary to prepare for trial, considering counsel's schedule and all of the facts set forth above; and

(f) the period of delay from the date of this order to the new trial date is excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

IT IS THEREFORE ORDERED that the trial date in this matter shall be continued to April 3, 2023, and that pretrial motions shall be filed no later than January 30, 2023.

DATED this 14th day of December 2022.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Presented by:

s/ *Nancy Tenney*
Assistant Federal Public Defender
Attorney for Erik A. Read